



# Montana

## Department of Labor and Industry

Workforce Services Division - Statewide Workforce Programs & Oversight Bureau

Governor Brian Schweitzer

May 17, 2011

Division of Workforce System Support  
Employment and Training Administration  
U.S. Department of Labor  
200 Constitution Avenue, NW, Room S-4231  
Washington DC 20210  
ATTN: Janet Sten

RE: Montana WIA/Wagner-Peyser State Plan Waivers

Dear Ms. Sten:

Montana submitted a State Plan and Waiver Extension Request to the US Department of Labor on April 13, 2011 which was signed by Governor Schweitzer. Please accept this letter that details the correct waivers that Montana wishes to renew as well as one new waiver request for Program Year 2011.

### Waiver Requests (extensions)

#### 1. Statewide Regional Planning Area – State Workforce Investment Board

a) Montana applied for and was awarded a Waiver in October 2005 and again in the 2007 Modified State Plan to apply 20 CFR 661.300(f), which permits a state board to carry out the roles of a local board in a single local area, to a statewide regional planning area. **Montana is formally seeking a Waiver renewal to apply 20 CFR 661.300(f), which permits a state board to carry out the roles of a local board in a single local area, to a statewide regional planning area.**

#### 2. Eligible Training Providers

a) In April 2005, the State was awarded an extension of the waiver for a **time limit on period of initial eligibility for training providers** at 20 CFR 663.530 thru June 30, 2007. The waiver was again approved in the 2007 Modified State Plan. **Montana is formally seeking a Waiver renewal to apply 20 CFR 663.530.**

#### 3. Performance Measures

a) Montana applied for and was granted a waiver in 2007 to apply 20 CFR 666.100 (WIA Law Section 136(b)) which specifies the performance measures that must be included in state plans. This waiver allows Montana to stop reporting on the current 17 performance measures (15 core and 2 customer satisfaction) and to implement the nine common measures for WIA Title IB adult, youth and dislocated worker delineated in TEGL 17-05. MDLI will continue to track customer satisfaction. **Montana is formally seeking a Waiver renewal to apply 20 CFR 666.100.**



#### 4. Incentive Grants

a) Montana applied for and was granted a waiver January 30, 2009 to apply 20 CFR 665.200 WIA 134(a)(2)(B)(iii) (Incentive Grants to Local Areas for Exemplary Performance Requirement). **Montana is formally seeking a Waiver renewal to apply 20 CFR 665.200.**

#### Waiver Request (new)

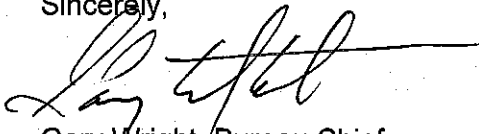
##### 5. Individual Training Accounts for WIA Eligible Youth

The status effected by this requests are at Sec 122, Sec 123, Sec 129(c)(2) & (3)(A)(iii). The WIA statute at 129 does not provide youth access to ITAs. Regulations at 20 CFR Part 664.510 specifically prohibit the use of ITAs for youth participants unless the youth are 18 years of age and co-enrolled in either the Adult or Dislocated Worker programs set forth in 20 CFR Part 664.500. This waiver request has been vetted by the State Workforce Investment Board's WIA Committee, Youth Council and Executive Committee. In addition, the waiver request has been posted for a two week public comment period (attached). Montana's Regional Administrator will be notified regarding our waiver requests. **Montana is formally seeking a Waiver renewal to apply 20 CFR 664.500.**

Please direct further questions on the contents of this letter to:

Leisa Smith, Director  
State Workforce Investment Board  
406-444-1609  
[lsmith@mt.gov](mailto:lsmith@mt.gov)

Sincerely,



Gary Wright, Bureau Chief  
Statewide Workforce Programs and Oversight Bureau